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**From:** Wirschafter, Joshua  
**Sent:** Friday, April 1, 2016 4:17 PM  
**To:** 'Noah Perch-Ahern'  
**Cc:** 'Ted Weiss'; 'O'Brien, Brad (ENRD)'; 'rpeterson@peterson-kell.com'  
**Subject:** DOJ FOIA Guide: Contractor docs are "intra-agency"

Hi Noah,

In our conversation today I mentioned that DOJ has posted online a very useful Guide to the Freedom of Information Act. The chapter on Exemption 5, posted here <https://www.justice.gov/sites/default/files/oip/legacy/2014/07/23/exemption5.pdf>, at pages 3 – 5, describes numerous court decisions holding that documents shared between government agencies and their contractors are deemed “intra-agency” for purposes of FOIA Exemption 5.

Let me know if you have any questions about this proposition.

Regards,  
Josh